DRAFT 30-Day Comment Summary

Preliminary Assessment: Dog River Pipeline Replacement

The proposed action along with a preliminary assessment (which in addition to proposed action included the need for the proposal, the alternatives considered, and the environmental consequences) was made available for public comment. Letters and e-mails were received during the 30-day comment period, which ended December 10, 2018. Comments are currently under review.

Commenter Organization	Comment (Preliminary Assessment)
Corkran, Char and Dave 1	We urge that the low flow months be expanded to include August and November because of global warming and that the amount of water left to the river be doubled during these months. The new pipe will deliver far more water to Mill Creek than it has for years.
Corkran, Char and Dave 2	the EIS should describe the impacts of leaving the old pipe behind. These would seem to include metals contamination from decay of galvanized wire and tar contamination of ground water from the old piping. It is highly likely where the old pipe remains hollow and water can accumulate during heavy run-off events that erosion will ensue. Erosion could wash away the backfill around the new pipe, causing it to sag or buckle. Leaving the old pipe in place is asking for trouble, leaving trash on the landscape, and ignoring a possible source of future pollution. The EA should acknowledge this in its cumulative impacts.
City of the Dalles 1	Regarding EA Section 1.4, first sentence: The City suggests amending the sentence as follows - "The proposed action is to replace the existing pipeline with a new pipeline, allowing the City of The Dalles to *more* fully utilize their water right." The City suggests adding the word "more" because the City's water right allows use of all water in the stream and the project does not propose to do that. Instead, the project proposes to provide by-pass flows during the late summer and early fall months. Bypass flows will also occur when peak flows in Dog River exceed the capacity of the proposed pipeline and when the City's water demands are less than those present in Dog River at the point of diversion.
City of the Dalles 2	Regarding EA Section 1. 7, Financial, second paragraph, first sentence: The word "investing" should be "investigating"; while the City is seeking supplemental funding for the project, no non-City financial contributions to the project have yet been secured.
City of the Dalles 3	Regarding EA Section 3.3.2, Water Quantity, Dog River, 4th paragraph, last sentence: This sentence, which refers to a resumption of diversion, should be deleted. Diversion of water from Dog River occurs year-round at rates necessary to meet the City's needs.
City of the Dalles 4	The acronym "LFH" is used a number of times throughout the Preliminary Assessment but it does not appear that it is defined or spelled out anywhere.

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Commenter Organization	Comment (Preliminary Assessment)
City of the Dalles 5	The City requests that the Preliminary Assessment be amended to identify that the City will provide 0.5 cfs bypass flows at its point of diversion on Dog River for the period of August 1 through October 31 as part of the Dog River Pipeline Replacement Project, and that this provision will become a requirement related to operation of the pipeline which is located on Forest Service lands under a Special Use Permit.
Oregon Wild 1	In summary, we urge the FS and the City to implement the pipeline replacement project as carefully as possible so as to minimize the footprint of ground disturbance and tree removal. (p. 1)
Oregon Wild 2	We also urge that much greater bypass flows be provided as a condition of approval of this project. (p. 1)
Oregon Wild 3	The EA also needs to consider a wider range of alternatives that ensure compliance with legal requirements such as Aquatic Conservation Strategy, Endangered Species Act, federal reserved water rights, and state law regarding forfeiture of underutilized water rights. (p.1)
Oregon Wild 4	Another reasonable alternative is to recognize that the City has plans to increase their storage capacity, so the city can fill their water storage during wet months and leave more water instream during dry months. (p. 1)
Oregon Wild 5	The PEA says the new pipeline will "allow the City of The Dalles to fully utilize their water right." According to the project description in the State of Oregon's Water Development Loan and Grant Program, the pipeline replacement will double the City's capacity from 8 million gallons to 17 million gallons (from 12.4 to 26.3 cfs). (p. 2)
Oregon Wild 6	Dog River appears to be designated as a Key Watershed but that fact (and its legal implications) do not appear to be addressed in the PEA. (p. 2)
Oregon Wild 7	The FS must not approve a pipeline with a larger capacity than the existing pipeline. To authorize a larger pipeline would violate state water law and possibly federal reserved water rights. (p. 2)
Oregon Wild 8	The PEA fails to address significant issues related to the perfection of water rights and ACS compliance. (p. 2)
Oregon Wild 9	Even if the City of The Dalles was granted a paper water right for the full flow of Dog River, the city never perfected that water right by diverting and putting to beneficial use the full flow of the river. The city's water right is therefore limited to the amount they have actually appropriated and put to beneficial use... (pp. 2-3)
Oregon Wild 10	The portion of the flow of Dog River that has not been appropriated by the city is likely covered by a federal reserved water right dating from the 1893 establishment of the Cascade Range Forest Reserve. Maintaining some minimum level of instream flow in Dog River is necessary to fulfill the purposes of the reservation, such as the aquatic and riparian habitat in and adjacent to the river. (p. 3)

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Oregon Wild 11	Increasing diversions from Dog River raises concerns about Endangered Species Act violations because some of the fish in the dewatered reach are listed under the ESA.
Oregon Wild 12	Increasing the pipeline capacity appears to violate the standards & guidelines for riparian reserves which require the Forest Service to maintain instream flows necessary to meet Aquatic Conservation Strategy objectives. Instream water rights in Dog River are currently not being met in summer and fall. Coccoli, H. 1999. Hood River Watershed Assessment. Hood River Watershed Group. https://nrimp.dfw.state.or.us/web%20stores/data%20libraries/files/Watershed%20Councils/Watershed%20Councils_300_DOC_HoodR_WSassess_1999.pdf. This project will exacerbate that problem. (p. 3)
Oregon Wild 13	The proposed action contemplates that the city will provide 0.5 cfs bypass flows, but this is far less than current bypass flows and is clearly inadequate to meet legal requirements such as ACS compliance, ESA compliance, and ESA compliance *(sic)*. (pp. 3-4)
Oregon Wild 14	The NEPA analysis needs to consider a range of alternative bypass flows to meet these legal requirements. (p. 4)
Oregon Wild 15	The PEA did not carefully analyze whether the proposed action and alternatives will meet legal requirements… (pp. 4-5).
Oregon Wild 16	The PEA did not consider all reasonable alternatives, such as those with greater bypass flows necessary to meet legal requirements, including ACS, ESA, state water law regarding forfeiture, and federal reserved water rights. Additional alternatives should look at the fact that the City has plans to increase storage of municipal water, so the FS should consider an alternative where the city fills their water storage during wet months and leaves more water instream during dry months. (pp. 5-7)
Oregon Water Watch 1	Because this proposed project will allow the more than doubling of current diversions on a stream that supports at least three fish species listed under the federal Endangered Species Act, a full Environmental Impact Statement should be undertaken. (p. 1)

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Oregon Water Watch 2	It appears that the USFS did not have knowledge that the City is seeking to develop an Aquifer Storage and Recovery Program (hereinafter ASR) that would divert up to 16.7 cfs; nor does it appear that the USFS was aware that the City has a storage water right in hand that would triple the amount of water currently stored at Crow Creek Reservoir (development deadline of 2021). According to the City's 2014 Water Management and Conservation Plan, the City is also planning to expand their water treatment plant capacity at Wicks Water Treatment Plant. The increased capacity that will occur in the future under these planned projects was not considered in the USFS analysis of the effects of the proposed pipeline replacement project; as such, the USFS effects analysis in this EA as to water use and associated impacts is fatally flawed. (p. 1)
Oregon Water Watch 3	It is unclear why the FS is not requiring a new Special Use Permit (SUP) at this point in time, and is instead allowing the City to amend their current permit that was issued in 1964. (p. 1)
Oregon Water Watch 4	That said, if an amendment does go forward, the USFS should bring the permit and conditions of use up to modern day standards, otherwise known as "acceptable standards" (see FSM 2700, 2714 Amendments). (p. 1)
Oregon Water Watch 5	Given that the City's original SUP was issued before the enactment of the Federal Endangered Species Act, and before salmon and steelhead were listed in the Hood River Basin, including Dog River specifically, the USFS should, at a minimum, require minimum flows year round as a condition of use. (p. 1.)
Oregon Water Watch 6	Section 1.2, Background: The background (and the EA) should be clear that this project is not simply a pipeline replacement project but a pipeline expansion project. The current capacity of the existing diversion is 12.4 cfs; the replacement will allow the diversion of 26.3 cfs. (p. 2)
Oregon Water Watch 7	The background should also set forth the listed fish found in Dog River (as is, this critical fact is not mentioned until page 63), as well as the Hood River system. (p. 2)
Oregon Water Watch 8	Section 1.2, Water Rights and Existing Agreements: As noted, the City holds an 1870 water right for "all the water in the stream" of Dog River; however, the City has only has the capacity to use 12.4 cfs of this right for the past 100 plus years. This raises forfeiture implications under state law, which should be noted in the document.
Oregon Water Watch 9	Section 1.2, Water Rights and Existing Agreements: The PA should do a full assessment of all existing related rights to ascertain what is allowed under the Dog River surface water right noted above, the SF Mill Creek Right, the two storage rights and the ASR limited license....USFS should work with the OWRD to provide a clear explanation of all the related rights, including the state instream right, and how they interplay with one another. (p. 2)

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Oregon Water Watch 10	Section 1.2, Water Rights and Existing Agreements: Hood River Basin Plan: As to the OWRD Hood River Basin Plan noted in the document, the waters above the existing diversion point are simply "classified" for municipal uses; they are not "reserved" for this purpose as stated in the EA. This distinction is of critical importance. All of Oregon's Basin Plans contain classifications; a classification only means that the waters can be used for that named purpose, not that they are in anyway "reserved" and/or guaranteed. This incorrect recitation should be removed. (p. 2)
Oregon Water Watch 11	Section 1.2, Water Rights and Existing Agreements: Cooperative Agreement/MOU: The USFS reliance on [the 1912 Cooperative Agreement between the US Secretary of Agriculture and the City of the Dalles and the 1972 Memorandum of Understanding between the Mt. Hood National Forest and the City of the Dalles] to justify approval of this SUP is misplaced. Our read of these documents is that they are aimed at protecting and maintaining the water quality of the source streams for municipal use.(pp. 2-3)
Oregon Water Watch 12	There in nothing in the document that would support the supposition that the USFS is somehow bound to support a project that would allow the City to double the current diversion, which could lead to full dewatering of Dog River ten months of the year. (p. 3)
Oregon Water Watch 13	MOU explicitly states that nothing in the MOU affects the USFS rights to use of the water from the watershed (for instance, to mandate minimum flow for listed fish). (p. 3)
Oregon Water Watch 14	The existence of [the 1912 Cooperative Agreement between the US Secretary of Agriculture and the City of the Dalles and the 1972 Memorandum of Understanding between the Mt. Hood National Forest and the City of the Dalles] does not in any way negate responsibilities of the USFS under federal law, including, importantly, the federal Endangered Species Act. (p. 3)
Oregon Water Watch 15	Section 1.3, Purpose and Need for Action: This section notes that the purpose is to "replace" the existing pipeline. Again, the proposed project is actually a pipeline expansion project that will allow a more than doubling of existing diversions. This needs to be made clear, and importantly, it is this action that the USFS needs to fully analyze. (p. 3)
Oregon Water Watch 16	The USFS is giving [the 1972 MOU between Mt. Hood National Forest and the Dalles] more accord than it is due; reference to this document should be removed from the purpose and need section. (p. 3)
Oregon Water Watch 17	Section 1.3.1 Management Direction: The [1972 MOU] is not a guiding document to this decision….[and] it is not legally binding on the USFS. Reference to it in this section should be removed. (p. 3)

Oregon Water Watch 18	Instead [of the 1972 MOU], the USFS should focus attention on ESA, CWA, NEPA and other federal laws/policies that do in fact legally control USFS action. (p. 3)
Commenter Organization	**Comment (Preliminary Assessment)**
Oregon Water Watch 19	The USFS also relies on a 1990 Land and Resource Management Plan for Mt. Hood NF. This plan was developed before Coho, steelhead and chinook salmon found in Dog River were listed as threated under the Federal ESA. We could find no direction specific to these species in the Mt. Hood NF Land and Resource Management Plan. (p. 3)
Oregon Water Watch 20	[In the 1990 Land and Resource Management Plan for Mt. Hood NF] there were general directives with regards to Threatened and Endangered Species that are relevant to the USFS analysis of the Dog River Project that should be listed out under "Management Direction" including, but not limited to… (see pp. 3-4)
Oregon Water Watch 21	Section 1.4 Proposed Action: This section should make clear that the pipeline replacement would allow a more than doubling of current diversions, from the current 12.4 cfs to 26.3 cfs. (p. 4)
Oregon Water Watch 22	Section 1.4 Proposed Action: The City is not proposing to legally protect the .5 cfs of bypass flow that they state they will provide during the months of September and October. The state cannot enforce against the City absent a legal water right for this instream flow. This should be noted here, and should be factored into the analysis. (p. 4)
Oregon Water Watch 23	Section 1.4 Proposed Action: The expansion of the project will allow the dewatering of Dog River for up to ten months of year, this should be made clear in the document and this fact should be fully analyzed by USFS and relevant federal agencies, including NOAA Fisheries. (p. 4)
Oregon Water Watch 24	Section 1.4 Proposed Action: The proposed action notes it will remove the fish screen and passage structures in the winter. This is not in accordance with state law which would require year-round passage and screening. Moreover, removing fish screens in winter raises ESA issues, as there are three listed fish species in Dog River that could be entrained if screens are not present year round. It should be noted that under Oregon law, any replacement and/or construction of a diversion facility automatically triggers fish passage requirements. Moreover, the Mt. Hood NF Management Plan requires fish passage. The notion that this is a purely voluntary action is at odds with governing laws/policies. (pp. 4-5)
Oregon Water Watch 25	Section 1.4 Proposed Action: The proposed action should include a detailed description of the City's plans to increase storage, including the expansion of Crow Creek Reservoir and the ASR project. These new and expanded storage reservoirs will increase winter and spring diversions substantially; this should be made clear to reviewers and should be fully analyzed by the USFW and relevant federal agencies. (p. 5)

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Oregon Water Watch 26	Section 1.7 Discussion of the concerns raised during scoping: The EA notes none of the concerns identified by the public were identified as issues for the purpose of formulating fully developed alternatives. In reviewing select comments, we would disagree. Specifically, in reviewing Oregon Wild's scoping comments of 2011 they noted that the project should be designed to ensure that the new pipe did not draw more water than the old pipe. This clearly could have and should have been an alternative analyzed by the USFS. Additionally, in Oregon Wild's 2016 comments, they urged the USFS to protect instream flows throughout the year. This also should have been included in an alternative. (p. 5)
Oregon Water Watch 27	The EA notes that "only the amount of water needed for municipal needs is diverted from Dog River, so during the majority of the year, less water will be diverted from Dog River, leaving additional water instream. This could increase spring and early summer streamflow in Dog River up to 1.5 cubic feet per second." (A.) First, this statement ignores the fact that the City of the Dalles is planning to increase in their ability to store water via an Aquifer Storage and Recovery Project (ASR) (B.) Similarly, this statement also ignores the fact that the City has a permit to expand the storage at Crow Creek Reservoir by 2,100 acre feet.... (C.) The USFS needs to fully analyze the increase of use of Dog Creek water that the doubling of the pipe size, combined with at least two proposals to increase the City's storage capacity. (D.) Second, the statement that this will leave additional water instream is contrary to the commitments made by the City as to instream flows, as well its plans to increase diversions for new storage. Importantly, the City is not proposing to put the project through Oregon's Conserved Water Act to protect the noted saved water instream. (E.) The only commitment that the City has made is to commit to a bypass flow of .5 for two months—September and October. (F.) The USFS is in error making statements such as "this could increase spring and summer streamflow in Dog River up to 1.5 cubic feet per second" as this is contrary to the facts provided by the City. (G.) The USFS should fully analyze the effect of a doubling of diversion on this stream, which would allow the full dewatering of Dog River ten months of the year, with only September and October being provided a minimal, unprotected, bypass flow of .5 cfs. (H.) Conclusions based on unsubstantiated assumptions should be removed from this document. (I.) EA should note that the City is providing municipal water to large industrial uses such as Google. This trend could lead to significant increases in water use over time. The USFS is in error for assuming static demand into the future. (pp. 5-6)
Oregon Water Watch 28	Chapter 2: Alternatives: Given the significant environmental impacts that will arise from a more than doubling of the diversion capacity of the pipe, the USFS should analyze additional alternatives. (p. 6)
Oregon Water Watch 29	Chapter 2: Alternatives: The USFS should analyze an alternative that replaces the existing pipe with a pipe that would not divert more water than is taken today (maximum of 12.4 cfs). (p. 6)

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Oregon Water Watch 30	Chapter 2: Alternatives: The USFS should analyze an alternative that requires a minimum instream flow to be maintained year round in Dog River. (p. 6)
Oregon Water Watch 31	Section 2.2. Proposed Action Alternative: This section should make very clear that the project is a pipeline expansion project that will allow the more than doubling of current diversions. This section should also be very clear as to the City's intended expansion of storage capacity via a proposed ASR project and expansion of Crow Creek Reservoir, which will increase diversions significantly. Similarly, it should note that the proposed expansion would allow the full dewatering of Dog River ten months of the year, and that Dog River is home to three listed species. (p. 6)
Oregon Water Watch 32	2.3.1 Aquatic Conservation Measures: Minimum Flows: The USFS should require year round minimum instream flows be provided in Dog River as a condition of any SUP…. (p. 6)
Oregon Water Watch 33	2.3.1 Aquatic Conservation Measures: Measurement and Reporting of water use and bypass flows: The SUP should require telemetric measuring device at the diversion point, as well as a telemetric gauges in the stream right below the diversion to ensure bypass flows are being provided... (p. 7)
Oregon Water Watch 34	2.3.10 Water Quantity: Minimum Flows: As noted, the USFS should require year round minimum flows as a condition of use of any SUP. (p. 7)
Oregon Water Watch 35	3.3.2 Effects Analysis: Proposed Action Alternative (pg. 48 of PEA): The USFS concludes that the replacement of the Dog River Pipeline under the Proposed Action Alternative would have low potential for short and long term impacts to water quantity in the Dog River watershed. It also concludes that the only change to existing conditions would be in September and October. We disagree with this assessment for a number of reasons, including but not limited to: (A.) The USFS does not account for the increase in diversion that will accompany the new and expanded storage projects that the City of the Dalles is pursuing... (B.) The USFS is remiss in assuming that diversions will be static over time. The City of the Dalles is not only growing in population, but is attracting large data centers such as Google and/or otherwise expanding industrial development. (C.) The new pipe will allow the diversion of up to 26.3 cfs. The USFS does not account for the increase in diversion allowed by this project. The USFS must analyze what this increased diversion capacity, at full capacity, means both as far as river flows and also the effect on listed fish...(pp. 7-8)

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Oregon Water Watch 36	3.3.3 Consistency Determination: The USFS has failed to analyze the actual impacts. (p. 8)
Oregon Water Watch 37	3.3.3 Consistency Determination: There are other laws/guidelines/plans that the USFS should be listing here including the ESA, CWA, Recovery Plans, Critical Habitat, etc. (p. 8)
Oregon Water Watch 38	3.3.3 Consistency Determination: The specific Mt Hood FP directives with regards to ESA species, instream flows, etc. should be spelled out here and analyzed accordingly. (p. 8)
Oregon Water Watch 39	3.3.3 Consistency Determination: Desired future conditions: The doubling of the diversion does not meet the desired future conditions as noted. (p. 8)
Oregon Water Watch 40	3.3.4 Summary of Effects by Alternative: Proposed Action Alternative: The EA states that available flow from Dog River would usually be too low for the pipeline to convey more water than what is currently diverted and that, essentially, it would only serve to increase the pace that the Crow Creek reservoir is filled….the USFS cannot assume that increased capacity will simply speed up existing storage. Again, the USFS needs to assess diversion at the full capacity of the pipe to assess impacts on streamflow. (p. 8)
Oregon Water Watch 41	3.4 Fisheries and Aquatic Fauna: Environmental Baseline conditions—Critical Habitat PBF's: Discussion is unclear regarding relationship between habitat indicators and fish needs. Request to include discussion of Table 6 in narrative. Potential typo regarding status of listed fish. (p. 9)
Oregon Water Watch 42	3.4.2 Effects Analysis/Environmental Consequences: Direct and Indirect effects: Direct and/or indirect effects should include water quantity, including but not limited to change in base flows and peak flows…(p. 9)
Oregon Water Watch 43	3.4.2 Effects Analysis/Environmental Consequences: Given the city cannot operate this diversion without a SUP, the evaluation should include an evaluation of the proposed diversion of 26.3 cfs as compared to no withdrawal whatsoever to understand the full effects of the proposal. (p. 9)
Oregon Water Watch 44	Water Quality: 5) Pipeline operations (pg. 72): The USFS analysis fails to account for full diversion of Dog River that could result ten months of the year with the new pipe...The USFS must analyze the full build-out of the project as proposed. (p. 9)

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Oregon Water Watch 45	Change in Peak/Base Flows (baseline: Functioning at Risk): 5) Pipeline operations (pg. 82): In this section the USFS does acknowledge the increased diversion capacity of the pipeline; however it then discounts the City's ability to divert at the higher flows based on the lack of storage capacity at Crow Creek Reservoir...(pp. 9-10)
Oregon Water Watch 46	Probability/Magnitude: Again, the conclusions in these sections are based on flawed analysis. The USFS must analyze the effects on full buildout. (p. 10)
Oregon Water Watch 47	Indicator Summary: We disagree with the USFS assessment in the indicator summary that the potential effects on the Dog River stream channels would be low. The project already dewaters the stream six months of the year; this will allow dewatering an additional four months for a total of ten. The existing dewatering is already harming fish habitat of protected fish; the expanded pipeline will only make it worse. Providing .5 cfs by pass flows for two months of the year does not negate this. Diversions will not be "similar" to existing diversions as stated; the City is planning to triple their Crow Creek storage capacity and develop an ASR project. The USFS analysis is insufficient. (p. 10)
Oregon Water Watch 48	The existing dewatering, as well as the additional dewatering that will take place with the new pipeline, cannot be said to be "insignificant" as the USFS determined. Nor does it have "low potential for short or long term impacts to peak/base flows within the Dog River Watershed." Fully dewatering a stream is a significant change to both peak and base flows; and most certainly is altering habitat of protected species. (p. 10)
Oregon Water Watch 49	Disturbance Regime (pg. 85): For similar/same reasons outlined in previous sections, we do not agree with the USFS determination that effects are immeasurable. Again, the USFS must analyze the project at full buildout. (p. 10)
Oregon Water Watch 50	Cumulative Effects, Dog River Pipeline Ongoing Operations (pg. 88): The cumulative effects of this project are supposed to include the past, present and future actions. The cumulative effects should then look at the dewatering of the stream under the existing pipe (6 months) as well the additional dewatering of the stream that will likely occur under the expanded pipe (additional 4 months, for a total of 10 months of dewatering. (p. 10)
Oregon Water Watch 51	Consistency determination: This section does include the Mt Hood Land and Resource Management Plan directives, but did not compare effects with the directives that we should find. (p. 10)
Oregon Water Watch 52	3.4.4. Summary of Effects by Alternatives: Again, because the USFS did not analyze the effects on streamflow at full buildout, the conclusions in the effects analysis on page 92-92 that relate to flow are flawed (i.e. change in peak/ecological flow). (p. 11)

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Oregon Water Watch 53	3.5. Aquatic Conservation Strategy: USFS determines that this project will "maintain" conservation indicators. Again, the USFS analysis ignores the fact that the project will allow existing diversions to increase by more than twofold, which could result in the dewatering of Dog River ten months of the year. The USFS conclusion is not supported by the facts of the project. (p. 11)
Oregon Water Watch 54	3.11 Cultural Resources: This section notes that the Dog River Diversion and Impoundments is comprised of two small dams on the Dog River; an upper dam and a lower dam. All reservoirs in Oregon are required to have a permit. The City of the Dalles has a live flow right from Dog River, not a reservoir right. It appears these dams are not in compliance with state law. (p. 11)
Confederated Tribes of Warm Springs 1	There has not been a thorough study to determine if elimination of the leaky infrastructure and change in pipeline management will result in a net increase or decrease in flow in the lower reaches of Dog River and its effect on ESA listed species. (p. 1)
Confederated Tribes of Warm Springs 2	The BNR is disappointed that the USFS has not specifically reached out to discuss the potential impacts of the Dog River Pipeline Project….The Tribe suggests the USFS review these comments attached and set up a time to meet with the BNR to discuss this project and potential effects to the Hood River Basin and the Tribes treaty reserved rights. (p. 1)
Confederated Tribes of Warm Springs 3	The EA concludes with a "No Effect" determination for the Pipeline Replacement Project. (A.) This determination was made without conducting a proper hydrologic study of the watershed. The Hydrologist simply synthesized the very limited flow (one year of continuous data and several discreet monitoring events), temperature, and water quality data that was available for Dog River. (B.) There was no Pipeline "pipe loss or leakage" study conducted for this assessment. These elements are of particular concern as there are ESA listed species found in the lower reaches of Dog River that could be impacted by reduced flows that may result from this project. (p. 3)
Confederated Tribes of Warm Springs 4	The Dalles -Dog River water withdrawals can take 100% of the flow of Dog River at the point of diversion resulting in dewatering of lower Dog River. (p. 3)
Confederated Tribes of Warm Springs 5	The current 18 inch wooden pipeline is estimated to leak up to 1.9 cfs at full pipe. The pipeline travels within the Dog River watershed for [approximately] 90% of its length before entering into the Mill Creek drainage. Therefore, the leakage from the pipeline (and headgate) likely contributes to the springs, seeps, and groundwater that recharges the flow in lower Dog River. (p. 3)

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Confederated Tribes of Warm Springs 6	Eliminating the leaks from the pipeline and headgate (with implementation of the project) could result in a net loss of flow in Dog River, despite a change in pipeline operation that would bypass O.5 cfs of flow during September thru October. (p. 2)
Confederated Tribes of Warm Springs 7	There was no hydrologic study conducted to either confirm or disprove the impacts of the new pipeline on flows in Dog River, therefore a determination of the impacts of the project cannot be definitively made. (p. 3)
Confederated Tribes of Warm Springs 8	the project proposes to increase the pipeline diameter from 18 inches to 24 inches, increasing the flow capacity by 114%. This would allow The Dalles to divert more water at peak flow (estimated at 73% of the DS peak flow) to fill the Crow Creek reservoir...This change in the hydrology of Dog River (diverting a higher percentage of peak flows) may impact habitat quality and quantity available to ESA listed salmonids found in Dog River. (p. 3)
Confederated Tribes of Warm Springs 9	The proposed project will improve the current Dog River diversion by the addition of a fish screen and passage structures. However, pipeline operation plans do not include providing bypass flow for fish passage…(p. 3)
Confederated Tribes of Warm Springs 10	The fish screens and passage structures "will be designed and constructed in a manner that would allow removal during the winter (page 18 of the EA)." Removal of the fish screens during the winter may result in fishes being entrained into the pipeline and killed or transferred out of the basin. (p. 3)
Confederated Tribes of Warm Springs 11	Dog River is considered a Special Emphasis Watershed (as designated in the MHNF LRMP), as such, no more than 25% of the watershed area can be in a hydrologically disturbed condition at any time. This document indicates that 64% of the Dog River watershed is below the diversion and is therefore impacted by The Dalles Municipal Water Withdrawals. This is over the 25% threshold for the hydrologically disturbed condition and is in violation of the standards for a Special Emphasis Watershed. Taken from pages 37 & 51-52 of the EA. (p. 4)
Confederated Tribes of Warm Springs 12	the Tribes do not feel the Environmental Assessment fully addressed the potential impacts of the altered hydrology on the ESA listed species in Dog River. Specifically, the changes in peak and base flow - their impacts on instream habitat, and the water quantity impacts on holding and foraging of fishes. (p. 3)

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Confederated Tribes of Warm Springs 13	The Tribes therefore recommend that the Special Use Permit not be granted until such time that a proper hydrologic study is completed and the above concerns are properly addressed. The Tribes recommend a 3-5 year hydrologic study be conducted to determine the impact of the project on the hydrology of Lower Dog River. (p. 4)
Confederated Tribes of Warm Springs 14	In addition, the Tribes recommend a "Pipe Loss" study to determine the extent of leakage from the current pipeline system and the contribution (if any) of these leaks to the seeps, springs and groundwater that recharges flows in lower Dog River. (p. 4)
Confederated Tribes of Warm Springs 15	This office would like to request additional information about efforts to protect potential historic properties that may be present underground within the Project APE. Are there any plans for additional pedestrian survey or the inclusion of an archaeological or Tribal monitor during Project implementation?